

2230. Misbranding of Pyroside Tooth Powder. U. S. v. Web Distributing Co., Inc. Plea of guilty. Fine, \$50. (F. D. C. No. 14289. Sample Nos. 60707-F, 81771-F.)

INFORMATION FILED: December 21, 1945, District of New Jersey, against the Web Distributing Co., Inc., Newark, N. J.

ALLEGED SHIPMENT: On or about January 3 and April 6, 1944, from the State of New Jersey into the State of New York.

PRODUCT: Analysis disclosed that the product consisted essentially of calcium carbonate, magnesium carbonate, borax, soap, small amounts of plant materials, phenolic material, and essential oils.

LABEL, IN PART: "Pyroside Tooth Powder * * * Sole Manufacturer National Dental Co., Newark, N. J."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the label of the article were false and misleading. These statements represented and suggested that the article would be efficacious in the maintenance of firm, healthy gums; that it would keep the gums healthy; and that it would be efficacious in the cure, mitigation, treatment, and prevention of pyorrhea, gingivitis, Vincent's angina (trench mouth), and all other diseases of the oral tissue. The articles would not be efficacious for such purposes.

DISPOSITION: June 20, 1947. A plea of guilty having been entered, the court imposed a fine of \$25 on each of the 2 counts of the information.

2231. Misbranding of Chlorydent Tooth Paste. U. S. v. 168 Dozen Tubes * * *. (F. D. C. No. 22735. Sample No. 91040-H.)

LIBEL FILED: March 28, 1947, Southern District of New York.

ALLEGED SHIPMENT: On or about February 25, 1947, by Welco, Inc., from Newark, N. J.

PRODUCT: 168 dozen 2-ounce tubes of *Chlorydent Tooth Paste* at New York, N. Y. Examination showed that the product consisted essentially of calcium phosphate, chlorophyll, water, and flavoring compounds.

LABEL, IN PART: "Chlorydent Green Tooth Paste."

NATURE OF CHARGE: Misbranding, Section 502 (a), the statements on the tube label "Chlorydent's active ingredients are recognized by the dental profession as a * * * preventor of bleeding gums and the formation of Tartar" and the statements in the circular enclosed with each tube "The actual function of Chlorophyll is converting Carbon Dioxide and similar disagreeable gases into Oxygen, which of itself is a deodorant and a preventative * * * Chlorydent prevents the formation of Tartar. Chlorydent will aid the healing of bleeding gums" were false and misleading since the article would not prevent or aid in the healing of bleeding gums, prevent the formation of tartar, or convert gases in the mouth into oxygen.

DISPOSITION: April 25, 1947. Default decree of condemnation. Product ordered delivered to a charitable institution.

2232. Misbranding of No Equal Tooth Paste. U. S. v. 123 Tubes * * * and a number of circulars. (F. D. C. No. 22705. Sample No. 39540-H.)

LIBEL FILED: March 24, 1947, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about February 3, 1947, by the No Equal Products Co., from Chicago, Ill. The product was shipped on or about February 3, 1947, and the circulars were received by the consignee on or about February 17, 1947.

PRODUCT: 123 tubes of *No Equal Tooth Paste* at Milwaukee, Wis., together with 150 circulars entitled "No Equal The World's Greatest Tooth Paste." Analysis indicated that the product consisted essentially of bentonite, water, calcium carbonate, and small amounts of fixed oil and methyl salicylate. No statement of the quantity of the contents appeared on the tube label.

LABEL, IN PART: "No Equal Tooth Paste * * * The Great Colloidal Mineral Tooth Paste."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circulars were false and misleading since they represented and suggested that the article would be effective in the treatment of rheumatic and pulmonary affections, disorders of the scrofulous and eczematous type, abscesses, sores, wounds, toothache, pyorrhea, mouth sores, bleeding gums, abscessed teeth, inflamed

tonsils, sinus trouble, ulcerated and pus cases, dead and abscessed teeth where bone tissue had partly decayed, irritation caused by artificial teeth, tongue blisters, swollen gums, sore throat, catarrh, and disorders of the mouth and throat; that it would be effective for healing and hardening tender and bleeding gums; that it would be effective for stopping toothache, preventing and relieving pyorrheal conditions, and healing sunburn, infection, cuts, bruises, scalds, and insect and animal bites; that it would be effective in healing power, in absorbing poisonous substance of the body, in relieving soreness and inflammation, in correcting and preventing disorders, in preserving the teeth and tissues, in checking ailments and stopping pain, and in relieving pains in the gums of teething infants. The article would not be effective for such purposes.

Further misbranding, Section 502 (b) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: May 28, 1947. Default decree of condemnation and destruction.

2233. Misbranding of Miracle-Aid, Miracle Cream, Miracle Bath, and Miracle Milk Bath. U. S. v. 438 Bottles of Miracle-Aid, etc. (F. D. C. No. 22694. Sample Nos. 38744-H to 38751-H, incl.)

LABEL FILED: March 21, 1947, Northern District of Illinois.

ALLEGED SHIPMENT: Between the approximate dates of July 18, 1946, and January 3, 1947, by the American Beauty Products Co., from Dallas, Tex., Salt Lake City, Utah, Minneapolis, Minn., Pittsburgh and Wilkes-Barre, Pa., Milwaukee, Wis., Cleveland, Ohio, and Indianapolis, Ind.

PRODUCT: 438 6-ounce bottles of *Miracle-Aid*, 471 1-pound jars of *Miracle Cream*, 161 6-pound bags of *Miracle Bath*, and 9 6-pound bags of *Miracle Milk Bath* at Chicago, Ill.

Analyses indicated that the *Miracle-Aid* consisted essentially of water, with small proportions of soapy material, gum, and perfume; that the *Miracle Cream* consisted essentially of epsom salt, sodium sulfate, water, fatty acids, and methyl salicylate; that the *Miracle Bath* consisted essentially of epsom salt, sulfur, and soap; and that the *Miracle Milk Bath* consisted essentially of epsom salt and powdered skimmed milk.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the articles were false and misleading. These statements represented and suggested that the *Miracle-Aid* would be effective in the removal of wrinkles and double chin; that the *Miracle Cream* and the *Miracle Milk Bath* would be effective to bring about a reduction in body weight; and that the *Miracle Bath* would be effective to reduce body weight and would be effective in the treatment of rheumatism and arthritis. The articles would not be effective for such purposes.

DISPOSITION: August 15, 1947. Default decree of condemnation and destruction.

2234. Misbranding of Anabelle Antiseptic Manicure Wafers. U. S. v. 25 Boxes * * *. (F. D. C. No. 23205. Sample No. 1576-H.)

LABEL FILED: On or about July 9, 1947, Southern District of Florida.

ALLEGED SHIPMENT: On or about March 21, 1947, by the Superior Soap Corp., from Brooklyn, N. Y.

PRODUCT: 25 boxes each containing 180 *Anabelle Antiseptic Manicure Wafers* at St. Petersburg, Fla. Examination showed that the product was colored soap.

LABEL, IN PART: "Anabelle Antiseptic Manicure Wafers."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statements "Antiseptic Manicure Wafers," "Guard Against Manicure Infection," and "Antiseptic wafers that help protect against manicure infections" were false and misleading since the product was not antiseptic and would not guard or help protect against manicure infection; Section 502 (b) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents; and, Section 502 (e) (2), it was fabricated from 2 or more ingredients, and its label failed to bear the common or usual name of each active ingredient.

DISPOSITION: September 10, 1947. Default decree of condemnation and destruction.